

<b>REPORT TO:</b>	<b>SCRUTINY AND OVERVIEW COMMITTEE</b> <b>4 February 2021</b>
<b>SUBJECT:</b>	<b>CALL IN: Proposed Closure of Virgo Fidelis Convent Senior School</b>
<b>LEAD OFFICER:</b>	<b>Stephen Rowan, Head of Democratic Services and Scrutiny</b>
<b>CABINET MEMBERS:</b>	<b>Councillor Alisa Flemming, Cabinet Member for Children, Young People &amp; Learning</b>

<b>ORIGIN OF ITEM:</b>	This item has been triggered by the call-in of the decision by the Cabinet on 18 January 2021 on the proposed closure of the Virgo Fidelis Convent Senior School.
<b>BRIEF FOR THE COMMITTEE:</b>	To consider and respond to the Call-In in accordance with the procedure set out in the Council's constitution (set out in paragraph 2.3 below).

## 1. EXECUTIVE SUMMARY

- 1.1 The decision taken on the proposed closure of the Virgo Fidelis Convent Senior School by the Cabinet on 18 January 2021 has been called-in by the Chair, Vice-Chair and Deputy-Chair of the Scrutiny & Overview Committee. The decision was made by the Leader to delegate this decision to the Cabinet.
- 1.2 Attached to this report are:
- **Appendix A** is the Proposed Closure of Virgo Fidelis Convent Senior School - Cabinet Report
  - **Appendix B** is the Key Decision Notice
  - **Appendix C** is the completed call in form that was received by the Monitoring Officer

## 2. CALL-IN – PROPOSED CLOSURE OF VIRGO FIDELIS CONVENT SENIOR SCHOOL

- 2.1 The decision taken by the Cabinet, that is the subject of this call-in, was as follows:

*The Cabinet **RESOLVED** :*

1. *Consider the representations made in response to the statutory notice and consultations regarding the proposed closure of Virgo Fidelis Convent Senior School from August 2021; and*
2. *Approve the proposed closure of Virgo Fidelis Convent Senior School from August 2021.*

- 2.2 The call-in pro-forma is attached at Appendix C. The decision form was received on 22 January 2021 from the Chair of the Committee, Councillor Sean Fitzsimons and was signed via email by the Vice-Chair, Councillor Robert Ward and the Deputy-Chair, Councillor Leila Ben-Hassel.

2.3 The reasons stated for the Call-In are that:

- “1) To hold the decision takers to account on their decision and to the evidence that underpins their reasoning to recommend closure of Virgo Fidelis Secondary School.
- 2) To ensure that there are sufficient secondary school places in Croydon for Croydon pupils and that the decision will not adversely affect disadvantaged groups
- 3) To ensure that there is no undue negative impact on other Croydon schools as a result of this decision
- 4) To obtain reassurance on the future use of the site
- 5) To obtain reassurance on the treatment of the accumulated budget deficit
- 6) To ensure that the decision does not unduly restrict the choice of parents to send their children to a single sex school or a school of religious character.”

2.4 The outcomes desired from the Call-In are stated as:

“For the decision makers to give a satisfactory response to the above queries and to hear from the Roman Catholic Archdiocese of Southwark.”

2.5 The Call-In request did not request the provision of additional information prior to the meeting on 4 February 2021.

### **3. CALL-IN PROCEDURE**

3.1 The Council’s Constitution, Part 4E Scrutiny & Overview Procedure Rule, states:

*“11.08 The referral shall be considered at the next scheduled meeting of the Scrutiny and Overview Committee unless, in the view of the Borough Solicitor, this would cause undue delay. In such cases the Borough Solicitor, will consult with the decision-taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny and Overview Committee may only consider a maximum of three referrals at any one meeting.*

*11.09 At the meeting, the referral will be considered by the Committee which shall determine how much time it will give to the call-in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.*

*11.10 The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision taken by the Leader or Cabinet is outside the Budget and Policy Framework of the Council. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet’s decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.*

*11.11 If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.*

*11.12 If the Council determines that the decision was within the Policy Framework and consistent with the Budget, it will refer any decision to which it objects, together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either, amend, withdraw or implement the original decision*

*within 10 working days or at the next meeting of the Cabinet after the referral from the Council.*

*11.13 The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.*

*11.14 If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 11.08 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.”*

---

**CONTACT OFFICER:**

Simon Trevaskis

(Senior Democratic Services and Governance Officer)

020 8726 6000 x 84384

Simon.Trevaskis@croydon.gov.uk

**APPENDIX A:** Proposed Closure of Virgo Fidelis Convent School – Cabinet report

**APPENDIX B:** The Key Decision notice

**APPENDIX C:** Call-In Proforma